

Hospitals

SENATE.....

.....No. 95.

AN ACT

RELATING TO THE

STATE LUNATIC HOSPITAL.

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1837

Commonwealth of Massachusetts.

IN SENATE, February 11, 1837.

Ordered, That the Committee on the Judiciary consider the expediency of so amending the laws in relation to the commitment of insane persons to the "State Lunatic Hospital," in such a manner as better to guard the rights of individuals, and better secure the great objects for which the institution was established.

Attest,

CHA'S CALHOUN, *Clerk.*

Commonwealth of Massachusetts.

IN SENATE, Feb. 17, 1837.

Ordered, That the Committee on the Judiciary inquire into the expediency of altering the law relating to the State Lunatic Hospital, so as to provide for the payment of the salaries of the officers of that institution by the State ; also, of providing for the admission of a limited number of indigent persons, not paupers, at a less price than is now required by law.

Attest,

CHA'S CALHOUN, *Clerk*.

Commonwealth of Massachusetts.

In SENATE, April 4, 1837.

The Committee on the Judiciary, to whom were referred an order of the 11th of February, and an order of the 17th of February, both concerning the State Lunatic Hospital, report a bill.

Per order,

CHARLES ALLEN, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Thirty-
Seven.

AN ACT

Concerning the State Lunatic Hospital.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

1 SEC. 1. The judges, who are authorized by the
2 forty-eighth chapter of the Revised Statutes, to com-
3 mit lunatics to the State Lunatic Hospital, may hear
4 and determine complaints against persons charged
5 as being lunatics, at such times and places as the
6 said judges respectively shall appoint, and whenever
7 request for that purpose shall be made by the person
8 complained against, they shall issue a warrant to the
9 sheriff or any deputy of the sheriff, in their respec-
10 tive counties, directing such sheriff or deputy to sum-

11 mon a jury of six lawful men to hear and determine
12 the question, whether the person complained against
13 is so furiously mad, as to render it manifestly danger-
14 ous to the peace and safety of the community that
15 such person should be at large.

1 SEC. 2. The said jurors shall be selected, in equal
2 numbers, from the town in which the trial shall be
3 had, or an adjoining town, or from two adjoining
4 towns, as the judges aforesaid respectively shall di-
5 rect, and the same proceedings shall be had in se-
6 lecting and empannelling said jury, and they together
7 with officers and witnesses who shall be in atten-
8 dance shall be entitled to such compensation, as is
9 prescribed in the twenty-fourth chapter of the Re-
10 vised Statutes: *provided*, that in the counties of Suf-
11 folk and Nantucket all the jurors may be taken from
12 the same town.

1 SEC. 3. The said judges respectively shall pre-
2 side at such trial, and administer to the jury an oath
3 faithfully and impartially to try said issue, and the
4 verdict of the jury shall be final on said complaint.

1 SEC. 4. In case of the non-attendance of any ju-
2 ror, the said judges respectively shall supply the de-
3 ficiency by the appointment of talesmen, and they
4 shall have the same authority as the supreme judicial
5 court and court of common pleas have by law to en-
6 force the attendance of jurors, and to inflict fines for
7 non-attendance.

1 SEC. 5. The expenses of such trial, including the
2 fees of all necessary witnesses, shall be certified and
3 allowed by the said judges respectively, and paid out
4 of the treasury of the county in which such trial shall
5 be had.

1 SEC. 6. The salaries of the superintendent, the
2 assistant physician, steward and matron of said hos-
3 pital shall be paid quarterly out of the treasury of
4 the Commonwealth, and warrants shall be drawn
5 therefor, and no charge shall be made against any lu-
6 natic or any person or corporation who shall be liable
7 for his support at said hospital, on account of said
8 salaries.

1 SEC. 7. The word "settlement" in the ninth sec-
2 tion of the said forty-eighth chapter of the Revised
3 Statutes, shall be construed and taken to mean resi-
4 dence in all adjudications which shall be had thereon.